

Section #3

PATENT

Attorney Docket No.: INVIT1100-1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Hoeffler et al.

Application No.: 09/245,615

Filed: February 4, 1999

For: MICROARRAY AND USES  
THEREFOR

) Group Art Unit: 1643

) Examiner: Unassigned

) CERTIFICATION UNDER 37 CFR § 1.8

) I hereby certify that the documents referred to as enclosed herein  
) are being deposited with the United States Postal Service as first  
) class mail on this date 4/30/99  
) in an envelope addressed to: Assistant Commissioner for Patents,  
) Washington, D.C. 20231

) Stephen E. Reiter Reg. No.: 31,192  
) (Name of person mailing paper)

) SEL 4/30/99  
) Signature Date

Box Missing Parts  
Assistant Commissioner of Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed March 1, 1999,  
enclosed is:

1. A copy of the Notice to File Missing Parts of Application;
2. An executed Power of Attorney By Assignee;
3. An executed Declaration for Patent Application;
3. A Verified Statement (Declaration ) Claiming Small Entity Status; and
4. A Recordation Form Cover Sheet and an executed Assignment.

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The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	50 - 20	=	30	X	\$ 9	\$18	=	\$270.00	\$ .00
Independent Claims	8 - 3	=	5	X	\$39	\$78	=	\$195.00	\$ .00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					\$130	\$260			\$ .00
					BASIC FEE			\$380.00	\$ .00
					TOTAL FEE			\$845.00	\$ .00

X The Commissioner is hereby authorized to charge payment of the total fee of \$950.00; \$845.00 of which covers the filing fee, \$65.00 for the surcharge fee for missing parts of the application, and \$40.00 for the recordation fee for an assignment or credit any overpayment to Deposit Account No. 07-1895. A duplicate copy of this Response is enclosed.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17.

Respectfully submitted,

Date: 4/30/99

Stephen E. Reiter

Reg. No. 31,192

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GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1600

San Diego, California 92121-2189



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/245,615 02/04/99 HDEEFLER

J. 10/11/1100-1

0222/0301

STEPHEN E. REITER  
GRAY CARY WARE & FREIDENRICH  
4365 EXECUTIVE DRIVE  
SUITE 1600  
SAN DIEGO CA 92121

NOT ASSIGNED

1643

DATE MAILED:

03/01/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 1820.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
- ☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ , including any multiple dependent claim fees, are required.

\$ 70.00 for 5 independent claims over 3.

\$ 540.00 for 20 dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

05/10/1999 SSRLEKU 00000019 09245615

**A copy of this notice MUST be returned with the reply.**

01 FC:205 65.00 CH  
02 FC:201 380.00 CH  
03 FC:203 180.00 CH  
04 FC:202 195.00 CH

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/10/1999 SSRLEKU 00000019 09245615  
01 FC:205 65.00 CH  
02 FC:201 380.00 CH  
03 FC:203 180.00 CH  
04 FC:202 195.00 CH  
05 FC:204 660.00 CH